

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ECHOTA C. WOLFCLAN, *et al.*,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES, *et al.*,

Defendants.

Case No. C23-5399-TSZ-SKV

ORDER ESTABLISHING DEADLINE  
FOR FILING OF AMENDED  
COMPLAINT AND STRIKING  
PENDING MOTIONS

This is a prisoner civil rights action proceeding under 42 U.S.C. § 1983. Plaintiff Echota Wolfclan initiated this action on May 2, 2023, with the submission of a proposed civil rights complaint alleging constitutional violations related to plumbing and sewer issues at the Pierce County Jail (“the Jail”). *See* Dkt. 1-1. Included in the complaint was a request for certification as a class action, and several additional Jail inmates were identified as class members. *See id.* Mr. Wolfclan subsequently submitted a number of amended and supplemental complaints. *See* Dkts. 18, 25, 39, 50, 74. The Court also received submissions from a number of other Jail inmates seeking to be added as Plaintiffs. *See* Dkts. 30, 33, 34, 35, 37, 38. None of the proposed pleadings submitted by Mr. Wolfclan have been served on Defendants and no action has been taken on the proposed motions to add other Jail inmates as Plaintiffs.

ORDER ESTABLISHING DEADLINE FOR  
FILING OF AMENDED COMPLAINT  
AND STRIKING PENDING MOTIONS - 1

1 On September 1, 2023, the undersigned granted Mr. Wolfclan's request for appointment  
2 of counsel and directed the Court's pro bono coordinator to identify counsel willing to represent  
3 Plaintiffs in this proposed class action. Dkt. 61. Counsel was subsequently located, and an  
4 Order appointing counsel was entered on November 21, 2023. Dkt. 84. After Mr. Wolfclan's  
5 request for appointment of counsel was granted, but before counsel appeared, Mr. Wolfclan filed  
6 a number of motions, including a motion for joinder of parties (Dkt. 71), a motion for  
7 preliminary injunctive relief (Dkt. 72), and a motion to strike defendants (Dkt. 73). The Court  
8 has also received requests from two other Jail inmates to be added to this action. Dkts. 82, 94.  
9 These various requests for relief are pending on the Court's calendar at the present time.

10 Given that no pleading has yet been served on Defendants, and that counsel has now  
11 appeared on behalf of Plaintiffs, the Court deems it appropriate to establish a deadline for the  
12 filing of an amended pleading and to strike all pending requests for relief without prejudice to  
13 counsel re-submitting any motions they deem necessary and appropriate at a later date. Plaintiffs  
14 are advised that the Court will not accept any future *pro se* submissions. Any requests for relief  
15 submitted on behalf of Plaintiffs, or proposed Plaintiffs, must be submitted through appointed  
16 counsel.

17 Based on the foregoing, the Court hereby ORDERS as follows:

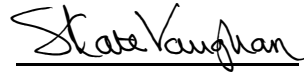
18 (1) Plaintiffs, through appointed counsel, are directed to file and serve an amended  
19 complaint in this matter not later than ***March 1, 2024***.

20 (2) All pending motions (Dkts. 71, 72, 73, 82, 94) are STRICKEN.

21 (3) The Clerk shall send copies of this Order to counsel for Plaintiffs and to the  
22 Honorable Thomas S. Zilly.

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ORDER ESTABLISHING DEADLINE FOR  
FILING OF AMENDED COMPLAINT  
AND STRIKING PENDING MOTIONS - 2

1 DATED this 12th day of December, 2023.

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4 S. KATE VAUGHAN  
United States Magistrate Judge  
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